

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

DONNIE L. WARE,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of  
Social Security,

Defendant.

Case No. 7:07-cv-162 (WLS)

**ORDER**

Before the Court is a Report and Recommendation from United States Magistrate Judge G. Mallon Faircloth, filed May 7, 2008. (Doc. 22). It is recommended that Plaintiff's Motion for Attorney Fees, filed pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) (Doc. 17), be granted and that payment be forwarded directly to Plaintiff, instead of Plaintiff's Attorney,<sup>1</sup> in the amount of \$848.20.<sup>2</sup> (Doc. 22 at 2, 3).

The Report and Recommendation provided the Parties with ten (10) days from the date of its service to file written objections to the recommendations therein. (*Id.*). Nearly four years have passed since the issuance of Judge Faircloth's Report and Recommendation and its service to the Parties, but no objections have been filed to date. (*See generally* Docket).<sup>3</sup>

Upon full review and consideration of the record, the Court therefore finds that said Report and Recommendation (Doc. 22) should be, and hereby is, **ACCEPTED, ADOPTED** and

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<sup>1</sup> In his response to Plaintiff's Motion for Attorney Fees, Defendant did not object to the amount of the fees requested but rather, to their direct payment to Plaintiff's attorney, instead of Plaintiff himself. (Doc. 18 at 1-2 n.1; *see also* Doc. 22 at 2).

<sup>2</sup> This total is based on an hourly rate of \$151.00 for 2.2 attorney work hours, \$79.00 for 4.0 law school student hours, and \$50.00 for 4.0 paralegal work hours. (Doc. 22 at 1).

<sup>3</sup> The pending Report and Recommendation (*id.*) was recently discovered by the Court through a search for pending matters with reassigned case numbers.

made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Defendant is **ORDERED** to forward payment in the amount of \$848.20 to Plaintiff.

**SO ORDERED**, this 16<sup>th</sup> day of February 2011.

/s/ W. Louis Sands  
**THE HONORABLE W. LOUIS SANDS,**  
**UNITED STATES DISTRICT COURT**